

**Memorandum of the Meeting
Regular Study Session/Meeting
Twenty-Sixth Town Council of Highland
Monday, January 10, 2011**

The regular study session of the Twenty-Sixth Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the plenary meeting chambers on **Monday, January 10, 2011** at the time of 7:10 o'clock p.m., immediately following a special meeting of the Town Council.

Silent Roll Call: Councilors Bernie Zemen, Brian Novak, Konnie Kuiper and Mark A. Herak were present. Councilor Dan Vassar was absent owing to work commitment. A quorum was attained. The Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings.

Others present: Ed Dabrowski, IT Director was present.

Also, John Hinkle, Tim Towasnicki, Erich Swisher, Hoffman and six other officers of the Metropolitan Police Department; Bruce Luyster and Tom Porter of the Public Works Department, were present as well.

General Substance of Matters Discussed

1. The Town Council discussed the renewal proposal for the municipal employees group dental plan with United Health Care as submitted by Tom Brown of Brown Insurance Group. The renewal is for March 1, 2011. It was noted that the proposed increase with no change was 5.7%. There was no discussion regarding changing the renewal to be January 1 rather than March 1.

The rates compared as follows:

	Current Rates	Renewal Rates
Single Employee	\$30.35 monthly	\$32.08 monthly
Employee & family	\$88.12 monthly	\$93.14 monthly
Monthly Total:	\$ 7,662.30	\$8,204.54
Annual Total:	\$93,147.60	\$98,454.48

The Town Council engaged in an informal colloquy with the several officers and other employees who were present inquiring about their experience with the dental plan and for any comments regarding the renewal.

No particular difficulties or objections were raised or shared. It was noted that in some cases, a worker may elect to remain with an existing dentist even though he may not participate in the less expensive insurance network. It was also pointed out that United Health Care was highly interested in expanding its network and continues to encourage providers who may not currently be members to enroll as in network providers.

There were no objections to renewing. The Town Council President asked that it be placed on the agenda of the next plenary business meeting for the consideration of the Town Council.

2. The Town Council discussed the efficacy of authorizing a bonus or premium pay for the full-time workers of the municipality. It was noted the police officers present were there as members of the Fraternal Order of Police, with John Hinkel serving as president and Tim Towasnicki as vice president.

The Town Council President inquired of the Clerk-Treasurer to offer a narrative on the ways and means of supporting a pay raise or providing for a bonus or premium for full-time workers.

The Town Clerk-Treasurer refreshed the recollection of the Town Council regarding the status of the deficit in the 2010 budget, being between \$280,000 and \$320,000 in excess of the revenues. The Clerk-Treasurer reminded the Town Council that since 2007, owing to IC 6-1.1-18.5-2 (c), the operating (maximum) levy has been frozen at its 2007 level, noting that the maximum levy, once authorized for up to \$6,197,893 was reduced in consequence of the property tax reforms that had the state funding the 1925 police pension liability, to the amount of \$5,911,136 – a reduction of \$273,895.

The Clerk-Treasurer still further noted that in order to address the deficit, which relied upon operating or cash balances on hand in funds, the Town Council reduced the operating funds of the Town by \$275,000 for the budget adopted for FY 2011. The Clerk-Treasurer still further indicated that cash balances need to be preserved owing to the possible effects of the property tax caps (circuit breaker), which affect collection rates. It was still further noted that any lapsed appropriations from 2010, sometimes described as carry-over, would just go to reducing the amount of the estimate deficit, provided that the appropriation was fully funded once all collections were in. It was further noted that the property tax settlement for FY 2010 would not be known until sometime in January when the County was expected to finally distribute the property taxes paid for FY 2010.

With the leave of the Town Council, there was an informal colloquy between and among the police officers and employees present and the Town Council plus the Clerk-Treasurer.

During the colloquy a participant suggested that employees had not received a raise in eight years. It was noted that in 2008, a raise and a bonus was authorized; in 2009 a bonus was authorized and a 27th pay was granted without adjustment. It was further noted that during the entire period of the budget concerns, longevity pay continued, promotions were permitted and overtime pay was not restricted.

The colloquy included concerns expressed by the F.O.P. representatives regarding the manner in which last minute overtime was to be addressed, and why the Garcia rules were adhered to -- allowing the 1.5 times premium to police patrol officer pay to only be applied after 147 hours worked in the 24 day cycle (patrol officers). Representatives asked if all overtime could have the 1.5 times premium applied perhaps after 40 hours of work or after 8 hours in a shift.

The colloquy also inquired about if resources were available for the Gazebo and for Lincoln Center Reconstruction, why was it not available for increases in pay. The distinction between operating budgets and capital budgets was discussed and it was noted that the ways and means to pay for debt service are not lawfully available for operating expenses.

The discussion included an examination of several suggested user fees and consideration of increasing existing ones, such as the towing fees. A special user fee for vehicles towed and impounded for evidentiary reasons and held at the Public Works facility was discussed.

The possibility of increasing utilities fees and collecting a rate of return or return on investment that was above that needed to meet operational needs was discussed. It was noted that the availability of the increases revenues would be delayed by up to a year before it could be transferred and used for budgetary purposes.

The discussion concluded with the President of the F.O.P. thanking the Town officials for the opportunity to discuss the ways and means questions and related matters. The several workers and police officers departed at this time.

3. The Town Council discussed the suggested change to Section § 171.40 of the Highland Municipal Code regarding prohibiting the connection of downspouts to storm sewers as recommended by the Board of Sanitary Commissioners. The amendment particularly adopted and recommended by the Board of Sanitary Commissioners read as follows:

DISCHARGE REGULATIONS

§ 171.40 STORM WATER, SURFACE WATER, COOLING WATER, AND THE LIKE.

- (A) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff or sub-surface drainage to any sanitary sewer.
- (B) Storm water and all other unpolluted waters shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by proper authorities.
- (C) Roof runoff and roof downspouts shall discharge over land and shall not connect directly to a storm sewer; unless otherwise authorized by the Board.
- (D) Unpolluted water from air conditions, cooling, condensing systems or swimming pools, shall be discharged to a storm sewer, where it is available, or to a combined sewer approved by the district. Where a storm sewer is not available, discharge may be to a natural outlet approved by the district and by the state. Where a storm sewer, combined sewer, or natural sewer is not available, such unpolluted water may be discharged into a sanitary sewer by obtaining a written approval by the Board.
- (E) Industrial cooling water, which may be polluted with insoluble oils or grease or suspended solids, shall be pretreated for removal of pollutants and the resultant clear water, shall be discharged in accordance with division (D).

After discussion, the Town Council determined that before acting it needed further study and would schedule a meeting with the Public Works Director to explore the questions that Councilors posed regarding the possible change in policy.

- 4. The Town Council discussed the Liaison assignments as announced by the Town Council President and affirmed the assignments, unchanged, as indicated by the Town Council President.
- 5. The Town Council discussed the e-mail contact made by Mr. Eric King, who identified himself as a Highland resident, who works for a company he described as Regency Technologies, that he described as an IT asset management and recycling company. It was noted that owing to a law change, electronic devices could no longer be discarded as ordinary solid waste but must be diverted from the waste stream and recycled. Mr. King suggested allowing the company to provide an electronics recycling program and services for Highland. It was suggested that Councilor Zemen as the appointee to the Lake County Solid Waste Management Board, inquire about any recycling services that the District may provide and to schedule a meeting with Mr. King for a future study session.
- 6. The Town Council President also requested that an ordinance be prepared that would authorize the plenary business meetings to return to the second and fourth Mondays of the month and the regular study sessions to return to the first and third Mondays, to be effective beginning February 2011.

There being no further business to be discussed by the Town Council, the regular study session of **Monday, January 10, 2011**, was adjourned 9:15 p.m. o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer